

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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CLARENCE ADAMS,

Petitioner,

- v. -

Civ. No. 9:08-CV-1381  
(DNH/GHL)

M. RADT, Superintendent, Elmira Correctional Facility,  
Respondent.  
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APPEARANCES:

OF COUNSEL:

CLARENCE ADAMS, 99-A-6271  
Petitioner, *pro se*  
Elmira Correctional Facility  
P.O. Box 500  
Elmira, NY 14902

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

By Order dated February 2, 2009, Petitioner Clarence Adams was ordered to file an amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 within thirty (30) days if he wished to avoid dismissal of his petition. Dkt. No. 8.

Petitioner was also ordered to submit a complete *in forma pauperis* application that is certified and signed by an appropriate prison official within thirty (30) days if he wished to proceed *in forma pauperis*.

Petitioner has failed to submit an amended petition. Petitioner also failed to submit a complete *in forma pauperis* application.

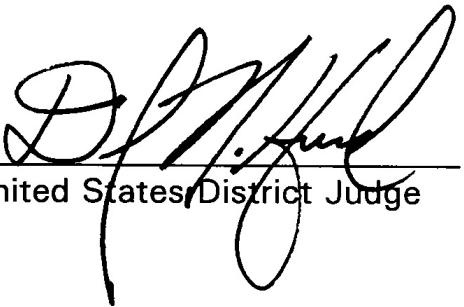
**WHEREFORE**, it is hereby

**ORDERED**, that this action shall be **DISMISSED** and the Clerk shall enter judgment dismissing this action without further Order of this Court, and it is further

**ORDERED**, that Petitioner's application to proceed *in forma pauperis* (Dkt. No. 2) be **DENIED**.

**ORDERED**, that the Clerk serve a copy of this Order on Petitioner.

**IT IS SO ORDERED.**

  
United States District Judge

Dated: March 31, 2009  
Utica, New York.